

**REMARKS**

Claims 26, 27, 29, 33, and 36-39 are pending in this application. By this Amendment, claim 26 is amended, claims 21-25, 28, 30-32, 34, and 35 are canceled, and claims 36-39 are added.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments satisfy a requirement regarding indefiniteness asserted in the Office Action, and do not present any additional claims without canceling a corresponding number of finally rejected claims.

**I. Rejection of Claims Under 35 U.S.C. §112, second paragraph**

Claims 26, 27, 29, and 33 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action alleges that claim 26 is indefinite because the "cut-off portion (1j)" is an "empty space" that would not be able to serve as a reflective surface unless the space is filled with a reflective layer (17), as shown in Fig. 14.

By this Response, independent claim 26 is amended to delineate, *inter alia*:

...  
cutting off a portion of the residual substrate portion to form a cut-off portion that exposes a portion of the second main surface of the compound semiconductor layer that serves as a light extraction surface with respect to an emission beam from the light emitting layer.

Thus, claim 26 recites the invention with the degree of precision and particularity required by the statute. Therefore, reconsideration of the rejection and allowance of claims 26, 27, 29, and 33 are respectfully solicited.

**II. New Claims**

New claims 36-39 are added. Independent claim 36 is derived from claim 26 and delineates, *inter alia*:

....

cutting off a portion of the residual substrate portion to form a cut-off portion that exposes a portion of the second main surface of the compound semiconductor layer; and

forming a metal reflective component on the exposed portion of the second main surface of the compound semiconductor layer so that the portion of the second main surface of the compound semiconductor layer exposed by the cut-off portion serves as a reflective surface with respect to an emission beam from the light emitting layer.

Because the Office Action maintains that the "cut-off portion (1j)" is an "empty space" that would not be able to serve as a reflective surface unless the space is filled with a reflective layer (17), as shown in Fig. 14, claim 36 includes forming a metal reflective component on the exposed portion of the second main surface of the compound semiconductor layer so that the portion of the second main surface of the compound semiconductor layer exposed by the cut-off portion serves as a reflective surface with respect to an emission beam from the light emitting layer.

Claims 37-39 correspond to claims 27, 29, and 33, respectively. Therefore, the allowance of claims 36-39 is respectfully solicited.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge  
Registration No. 30,024

Edward J. Wise  
Registration No. 34,523

WPB:EXW/ssh

Date: January 5, 2011

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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